



REGION 5

CHICAGO, IL 60604

Draft 8/9/2024

Grant of Water Quality Certification Without Conditions

Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (MBPI) Tribal Utility Authority WWTF
Permit No. MI-0058670-1

The MBPI Tribal Utility Authority WWTF is located within trust lands of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, Shelbyville, Michigan, Allegan County. The Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians is a federally recognized Indian Tribe. The Environmental Protection Agency (EPA), Region 5 is issuing National Pollutant Discharge Elimination System (NPDES) Permit No. MI-0058670-1, under Section 402 of the Clean Water Act (CWA), for discharge from the MBPI Tribal Utility Authority WWTF. The discharge from this facility is located within trust lands of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians. The receiving water for the discharge is Buskirk Creek within the Reservation.

The State in which the discharge originates is responsible for issuing the CWA Section 401 certification pursuant to CWA Section 401(a)(1). When a NPDES permit is issued within Indian Country, the Tribe is the certifying authority where the Tribe has been approved by EPA for Treatment as a State (TAS) pursuant to CWA Section 518(e) and 40 C.F.R. § 131.8. Where a Tribe does not have TAS, EPA is the certifying authority. The Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians does not have TAS for the reservation where the discharge occurs. Therefore, EPA is responsible for issuing the CWA Section 401 Certification for this permit.

EPA hereby certifies that the discharge, as authorized by the NPDES permit for the MBPI Tribal Utility Authority WWTF will comply with applicable water quality requirements, as defined at 40 C.F.R. § 121.1(j).

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